

UNITED STATES DISTRICT COURT  
DISTRICT OF NEVADA

\* \* \*

NANCY E. NASH,

v.

JO GENTRY, et al.,

## Respondents.

Case No. 2:16-cv-00901-JCM-NJK

## ORDER

On October 12, 2016, this court entered an order and judgment dismissing this  
as corpus case with prejudice as time-barred under 28 U.S.C. § 2244(d). ECF Nos.  
Petitioner Nash did not file an appeal.

On November 12, 2018, Nash filed a motion for immediate discharge based upon an alleged failure to treat her medical condition(s). ECF No. 17. Nash fails to identify circumstances that would warrant reconsideration of the order and judgment dismissing this case. See Fed. R. Civ. Pro. 59(e), 60(b). In addition, her motion asks the court to address the conditions of her confinement, which is relief not available in a federal habeas corpus proceeding. See *Nettles v. Grounds*, 830 F.3d 922, 927 (9th Cir. 2016). The proper proceeding for the relief Nash seeks would be an action under 42 U.S.C. § 1983. *Id.*

**IT IS THEREFORE ORDERED** that petitioner's motion for immediate discharge (ECF No. 17) is DENIED.

**IT IS FURTHER ORDERED** that a certificate of appealability is denied.

DATED September 11, 2019.

James C. Mahan  
UNITED STATES DISTRICT JUDGE